

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JERIEL DELOSANGELES,

Defendant.

22-CR-253 (NRB)

ORDER

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Defendant Jeriel Delosangeles was sentenced on April 18, 2023 to a non-guidelines term of imprisonment of 78 months, based on an Offense Level of 29 and a Criminal History Category of III. See ECF No. 64. He faced a Sentencing Guidelines range of 108-135 months. See ECF No. 61.

In November 2023, the defendant filed three motions requesting that this Court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline which went into effect on November 1, 2023 and applies retroactively. See ECF Nos. 76, 79-80. The United States Probation Department has also issued a report indicating that the defendant is not eligible for a sentence reduction. See ECF No. 83.

Having considered the record in this case, the Court finds that the defendant is ineligible for a sentence reduction pursuant to Amendment 821 because he did not receive an enhancement for

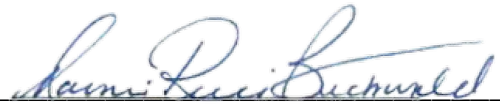
committing the offense while under a criminal justice sentence and because he had five criminal history points.

Further, the defendant has a mandatory minimum sentence of five years, of which he has served approximately 14 months. Thus, any discussion of compassionate release is seriously premature.

Accordingly, this motion is denied. The Clerk of Court is respectfully instructed to terminate the motions pending at ECF Nos. 76, 79-80 and mail a copy of this decision to Delosangeles (Reg. No. 72215-067) at Federal Correctional Institution Fort Dix in Joint Base MDL, New Jersey.

SO ORDERED.

Dated: December 27, 2023
New York, New York



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE